

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

In re Medco/Express Scripts Merger
Litigation

Hon. Dennis M. Cavanaugh

ORDER

Civil Action 2:11-cv-4211(DMC)(MF)

DENNIS M. CAVANAUGH, U.S.D.J.:

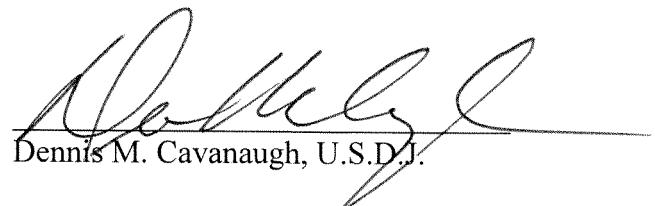
This matter comes before this Court upon the Motion of Defendant Express Scripts (“Defendant”) for expedited ruling on its motion for certification of interlocutory appeal and stay pending appeal as well as Plaintiff Louisiana Municipal Police Employees Retirement System’s (“LAMPERS”) motion for class certification (“Defendant’s Motion”). The motion was filed on October 25, 2011. (ECF No. 84). The Court having considered the submissions and arguments in support of Defendant’s Motion, and based upon the following;

WHEREAS Plaintiff’s motion seeking class certification is presently under consideration by this Court, and as a result of this Court’s busy motion calendar will be ruled upon in due course;

WHEREAS this Court has previously ruled upon Defendant’s motion for certification of interlocutory appeal (GRANTED), and stay pending appeal (DENIED) (ECF No. 85);

IT IS on this 26th day of October, 2011

ORDERED that Defendant's Motion seeking an expedited ruling is hereby **DENIED**.



The image shows a handwritten signature in black ink, appearing to read "Dennis M. Cavanaugh". Below the signature, the name "Dennis M. Cavanaugh, U.S.D.J." is printed in a smaller, standard font.

Original: Clerk's Office
cc: Hon. Mark Falk, U.S.M.J.
All Counsel of Record
File